

City Council Agenda

Council President

Mike Dages

Councilmembers

**Tom Boyajian
Brian Calhoun
Jerry Duncan
City Manager
Daniel G. Hobbs**

**City Clerk
Rebecca E.
Klisch, CMC**

**Henry T. Perea
Cynthia Sterling
Larry Westerlund
City Attorney
Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

February 8, 2005

If you would like to speak fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on (www.ci.fresno.ca.us). The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 8:30 a.m. – 4:30 p.m. and Channel 14 beginning at 8:30 p.m.

8:30 A.M. ROLL CALL

Invocation by Pastor Jack Douglass of the Baptist Temple Church

Pledge of Allegiance to the Flag

Ceremonial Presentations:

Proclamation of "MARTIN MCINTYRE DAY" – All Councilmembers

Presentation of Plaques of Appreciation to Mosqueda Little League Sponsors for 2004 – Council President Dages

Council action on unscheduled items if any shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council there will first be a staff presentation followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve minutes of February 1, 2005

Action Taken:

Councilmembers Reports and Comments

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

1. **GENERAL CONSENT CALENDAR**

(All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered immediately following.)

- A. * **RESOLUTION** – 59th amendment to AAR No. 2004-209 appropriating \$500,000 for environmental and legal and related costs support services for ongoing contamination investigation and interim action at Old Hammer Field /Fresno Yosemite International Airport consistent with an agreement between the Potentially Responsible Parties (PRPS) (***Requires 5 affirmative votes***) – Airports Dept.
Action Taken:
- B. Approve Lease Addendum No. 3 to the Cargo Building Lease and Agreement between the City of Fresno -Airports and American Airlines to extend the existing lease two (2) years – Airports Dept.
Action Taken:
- C. Reject all bids for Fresno Yosemite International Ticketing Lobby Rehabilitation - General Services Dept/Airports Dept/Public Works Dept
Action Taken:
- D. * **RESOLUTION** – 8th amendment to Salary Resolution No. 2004-213 to reflect a salary adjustment and creation of two new classes – Personnel Dept.
Action Taken:
- E. * Award a contract to Lane Electric, Inc. of Fresno for Field Lighting Upgrades at City Parks, Phase 1 - General Services Dept/Public Works
Action Taken:
- F. * **RESOLUTION** - Approving the reallocation of \$125,000 from Shields (Sunnyside-Clovis) MD-DIA (RC00064) project to fund Roeding-Kearney at West 36" new (RC00038) project in order to provide sufficient funds to complete the construction project – Public Works Dept.
Action Taken:
- G. * **BILL NO. B-7 – (Intro. 2/1/2005) (For adoption)** – Amending Article 27 of Chapter 10 of the Fresno Municipal Code, relating to Emergency Services
Action Taken:

CONTESTED CONSENT CALENDAR

2. **GENERAL ADMINISTRATION**

- A. **BILL – (For introduction)** - Amending the Fresno Municipal Code related to the City administrative hearing procedures, selection of hearing officers, and the cost and penalty recovery ordinance and administrative citation procedures – City Attorney's Office
Action Taken:

3. **CITY COUNCIL**

- A. Consider and set terms for City-appointed members of the Chaffee Zoo Non-Profit Board – Councilmember Boyajian
Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS

- 9:30 A.M. Request presentation and information from City Manager on the new performance-based pay for managers as outlined and requested in the staff report – Councilmember Calhoun
Action Taken:

10:00 A.M.#1 **CLOSED SESSION**

A. **CONFERENCE WITH LEGAL COUNSEL- DECIDING WHETHER TO INITIATE LITIGATION**

Government Code Section 54956.9, subdivision (c)

1. **Case Name:** City of Fresno v. International Union of Operating Engineers, Stationary Engineers (Local 39)
Action Taken:

B. **CONFERENCE WITH LABOR NEGOTIATOR – Government Code Section 54957.6**

City Negotiator(s): Jon Ruiz

Employee Organization(s):

1. International Union of Operating Engineers, Stationary Engineers (Local 39)
Action Taken:

C. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8**

1. **Property:** Parcels at 800 “M” Street and 808 “M” Street
Negotiating Parties: Andrew Souza and Daniel Hobbs; Ophelia Family Trust
Under Negotiation: Negotiation of price for acquisition and lease of property
Action Taken:

D. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (a)**

Case Name: City of Fresno v. Cherta Farms, Inc., et al., Fresno Superior Court Case No. 02CECG00191
Action Taken:

10:00 A.M.#2 **JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY**

E. **PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT – Government Code Section 54957**

Title: Executive Director of the Redevelopment Agency
Action Taken:

CLOSED SESSION ANNOUNCEMENTS (IF ANY)

10:45 A.M. - 11:00 A.M. RECESS

2:00 P.M. **WORKSHOP** on the Kronos Workforce Central Software Suite and Cognos Reportnet Software – City Manager’s Office

2:30P.M.

PUBLIC COMMENT PERIOD – REDEVELOPMENT AGENCY AND CITY COUNCIL - No Council or Agency action except to place on future agenda. Presentation limited to three (3) minutes:

A. SCHEDULED COMMUNICATION

1. Appearance by Eric Wardwell to request Council direct Code Enforcement to remove a rooster in his neighborhood and his conflict with Code Enforcement
2. Appearance by Michael Bumgarner to discuss the parking and storage of recreational and commercial vehicles on City streets

B. UNSCHEDULED COMMUNICATION – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least ten (10) days prior to the desired date.

2:45 P.M.

Historic Preservation – Planning and Development Dept.

1. Consider nominations to the Local Register of Historic Resources
 - a. * **RESOLUTION** - Designating J.M. Menend/Murray Ice Cream Company Building, 175 Fulton Street (District 3), to the Local Register of Historic Resources
Action Taken:
 - b. * **RESOLUTION** - Designating W. P. Cutting Flats 2-16 North San Pablo Avenue (District 3), to the Local Register of Historic Resources
Action Taken:

3:00 P.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of February 1, 2005

Action Taken:

GENERAL ADMINISTRATION

- A. Direct staff to prepare necessary documents to contract with Alliance Resource Consulting to conduct a search for the vacant RDA Executive Director position – RDA committee (**Agency action**)
Action Taken:
- B. Set the salary range for the Executive Director of the RDA – RDA committee (**Agency action**)
Action Taken:

ADJOURN AGENCY

SCHEDULED COUNCIL HEARINGS AND MATTERS

Feb.	15 -	9:30 A.M.	Amending the FMC re: to the tree ordinance – Council President Dages
Feb.	15 -	10:00 A.M.	HEARING re: CFD No. 2, Annexation No. 86, Final Tract Map No. 5265
Feb.	15 -	10:05 A.M.	HEARING re: CFD No. 2, Annexation No. 87, Final Tract Map No. 5259
Feb.	15 -	10:10 A.M.	HEARING re: CFD No. 2, Annexation No. 89, Final Tract Map No. 4544
Feb.	15 -	10:15 A.M.	HEARING to consider resolution of public use and necessity for the acquisition of permanent easements and rights of way for public street purposes from the following parcels of real property located on E. Shaw Avenue at the intersection of First Street in the City of Fresno
Feb.	15 -	10:30 A.M.	Empowerment update

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

Feb.	15 -	2:30 P.M.	HEARING re: Rezone Appl. No. R-04-63, filed by SKN Properties, for 2.48 acres located at 5572 E Inyo St.
Feb.	15 -	2:35 P.M.	HEARING re: Rezone Appl. No. R-04-57, filed by Ingles-Braun and Associates on behalf of Landcastle Real Estate, for 20 acres located at the s/e corner of S. Peach and E. Grove Aves
Feb.	15 -	2:40 P.M.	HEARING re: Rezone Appl. No. R-04-37, filed by DMP Land Development, 20 acres located on the north side of E. Jensen between S. Peach and S. Minnewawa Aves
Feb.	22 -	NO MEETING – PRESIDENT’S DAY	
Mar.	1 -	8:30 A.M.	Presentation of Driver Appreciation Awards – Fresno Area Express
Mar.	1 -	10:00 A.M.	HEARING re: CFD No. 2, Annexation No. 79, Final Tract Map No. 5321
Mar.	1 -	To be set	WORKSHOP to consider implementation and use of traffic signal fees and implementation of new Community Facilities District (CFD) – Councilmember Dages
Mar.	1 -	4:00 P.M.	Trimester Plans
Mar.	8 -	9:00 A.M.	Presentation by the Fresno County Transportation Authority Advocates Office on the education of Measure “C”, 1986 through the present time – Public Works Dept.
Mar.	8 -	10:00 A.M.	(Title to be determined) – City Manager’s Office
Mar.	8 -		Annual report on the Convention Center – Council President Dages
Mar.	15 -	10:00 A.M.	HEARING to consider the 2005 Weed Abatement Program – Planning & Dev.
Mar.	22 -	NO MEETING – EASTER WEEK	
April	12 -	8:30 A.M.	Presentation of P.R.I.D.E. Team Certificates (Reception immediately following – 2 nd floor foyer)
April	19 -	4:30 P.M.	CONTINUE HEARING to consider Fresno City Planning Commission decision regarding Conditional Use Permit (CUP) Application No. C-02-226, and environmental findings, filed by Wilkins Enterprises
April	26 -	NO MEETING – COUNCIL BREAK	
May	3 -	10:00 A.M.	Presentation of Employee Service Awards (Reception immediately following – 2 nd floor foyer)

(Future workshops – dates to be determined)

(June) WORKSHOP – Follow-up discussion regarding Caltrans discussion held 12/7/2004
WORKSHOP – Urban Forest